

PUBLIC HIGHWAYS AND PRIVATE ROADS (EXCERPT)
Act 283 of 1909

224.6 Board of county road commissioners; election or appointment; notice of election; date; term of office; removal from office; notice of charges; county with population of 1,500,000 or more; powers and duties; reorganization; expenditure of funds; alteration of number of county road commissions.

Sec. 6. (1) Except as provided under subsection (4) or (5), in a county where the county road system is adopted, a board of county road commissioners consisting of not less than 3 members or more than 5 members shall be elected by the people of the county. The initial road commissioners shall be appointed by the county board of commissioners or elected at a general or special election called for that purpose, as determined by the county board of commissioners. The county board of commissioners may by resolution provide for staggered terms of office for the road commissioners under this subsection so that not more than 2 road commissioners' terms of office expire in the same year.

(2) If the road commissioners are appointed, they shall hold office only until January 1 of the first odd numbered year following the date of appointment. If the road commissioners are to be elected at a general or special election, notice of the election, embodying a copy of the resolutions of the county board of commissioners, giving the number and terms of the office of the road commissioners to be elected, shall be published by the clerk as required by section 3 of this chapter.

(3) The regular election of county road commissioners shall be held at the general election on the first Tuesday after the first Monday in November. The term of office of an elected county road commissioner shall commence on January 1 in the year following his or her election. The notice of the election shall be given at the time notice is given of the general election of county officers.

(4) The election of county road commissioners shall not be mandatory in any county that contains all or part of 12 surveyed townships as determined by the government survey of the county. Except as provided under subsection (5), in a county under this subsection the county board of commissioners, by a majority of its members elect, may appoint the county road commissioners. A county road commissioner appointed under this subsection shall not be removed from office before the expiration of his or her term of office without being given written notice of the charges made against him or her and an opportunity to appear before the county board of commissioners for a hearing on the charges.

(5) In a county having a population of 1,500,000 or more that has adopted a charter under 1966 PA 293, MCL 45.501 to 45.521, the powers and duties that are otherwise provided by law for a board of county road commissioners may be reorganized by amendment to the charter. Funds provided to the county under 1951 PA 51, MCL 247.651 to 247.675, shall only be expended for the purposes provided under 1951 PA 51, MCL 247.651 to 247.675.

(6) If the county board of commissioners proposes to alter the number of county road commissioners as allowed under this act, the county board of commissioners shall hold not less than 1 public hearing on the proposed change to the road commission. The county board of commissioners shall give notice as required under the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, of the time and place of the public hearing not less than 28 days before the hearing. The county board of commissioners shall also provide written notice of the hearing to the county road commission and, if available, by posting the notice on the county's website. The county board of commissioners may vote on whether to alter the number of county road commissioners at the meeting noticed under this subsection.

History: 1909, Act 283, Eff. Sept. 1, 1909;—Am. 1911, Act 148, Eff. Aug. 1, 1911;—Am. 1913, Act 400, Eff. Aug. 14, 1913;—Am. 1915, Act 75, Eff. Aug. 24, 1915;—Am. 1915, Act 181, Eff. Aug. 24, 1915;—CL 1915, 4352;—Am. 1917, Act 356, Imd. Eff. May 10, 1917;—Am. 1929, Act 233, Eff. Aug. 28, 1929;—CL 1929, 3981;—CL 1948, 224.6;—Am. 1982, Act 299, Imd. Eff. Oct. 11, 1982;—Am. 2006, Act 598, Imd. Eff. Jan. 3, 2007.

Compiler's note: As to inter-county highways, super-highways, and limited access highways, see MCL 252.1 et seq.

Former law: See section 6 of Act 149 of 1893, being CL 1897, § 4267; Act 197 of 1905; and Act 82 of 1907.

Popular name: County Road Law